



MONTGOMERY COUNTY PLANNING DEPARTMENT
 THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Item #
 MCPB 4/17/08

MEMORANDUM

DATE: April 7, 2008
TO: Montgomery County Planning Board
VIA: Rose Krasnow, Chief *RK*
 Development Review Division
FROM: Robert A. Kronenberg, Supervisor *RAK*
 Planning Department Staff
 (301) 495-2187
 Robert.Kronenberg@mncppc-mc.org



PROJECT NAME: The Fairmont
CASE #: 9200700110
REVIEW TYPE: Project Plan

ZONE: CBD-2
APPLYING FOR: Request for Extension for 40 multi-family dwelling units, including 6 MPDUs on 0.21 acres

LOCATION: Lot 644, Woodmont
 Property is located on Fairmont Avenue, approximately 250 feet northeast of the intersection with Old Georgetown Road, in the Woodmont Triangle area of Bethesda

MASTER PLAN: Bethesda CBD 1994, Woodmont Triangle Amendment 2006

REVIEW BASIS: Division 59-D-2.11 of the Zoning Ordinance requires submission of a Project Plan as part of the application for the use of optional method of development for a CBD zoned property.

APPLICANT: Fairmont, LLC
FILING DATE: November 29, 2006
HEARING DATE: April 17, 2008

The applicant filed the subject Project Plan application for The Fairmont on November-29, 2006. Section D-2.2 of the Zoning Ordinance provides that the Planning Board shall hold a public hearing no later than 90 days after the filing of a project plan. The Planning Board, however, can extend this time period.

Three extensions of the Project Plan have been granted by the Planning Board at the request of the Applicant to address the public use space requirement for the application. The most recent extension was granted on January 31, 2008 in response to the Applicant's request for additional time to allow the County Council to complete its deliberations on a pending Zoning Text Amendment (ZTA 07-10). Once approved, the Applicant would like to take advantage of the Amendment with regard to their provision of public use space requirement.

The Council has yet to approve the ZTA, and the Applicant, in their letter dated April 7, 2008 is requesting an additional 90-day extension of the review period. Staff is recommending a 6-month extension of the review period, until no later than October 16, 2008, since the Council has not yet acted on the ZTA and the Applicant will need time to revise their plans once the Council action has occurred.

LINOWES
AND BLOCHER LLP
ATTORNEYS AT LAW

April 7, 2008

Todd D. Brown
301.961-5218
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Dr. Royce Hanson, Chair
and Members of the Montgomery County
Planning Board
8787 Georgia Avenue
Silver Spring, Maryland 20910

Re: The Fairmont (4931 Fairmont Avenue) – Project Plan No. 920070110 – Request for
Additional Continuance

Dear Dr. Hanson and Members of the Planning Board:

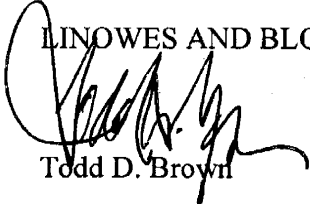
On behalf of the Applicant, Fairmont, LLC, the purpose of this letter is to request an additional 90-day continuance of the Planning Board hearing on the above-referenced Project Plan. The Applicant requests the continuance so the County Council may consider and act on ZTA 07-10 concerning the CBD Zones.

The Planning, Housing and Economic Development Committee of the County Council is currently considering ZTA 07-10, which seeks to amend the provisions of the CBD Zones. Once the full Council acts on ZTA 07-10, we will contact Planning Staff to discuss the impacts of the ZTA, review any resultant changes to the project design, and request the matter be rescheduled for Planning Board consideration. A minimum of 90 days is believed necessary. Once a new hearing date is scheduled, we will send appropriate notices to all adjoining and confronting property owners and local citizens associations.

To our knowledge, no individuals have contacted the Planning Commission concerning this application other than the representatives of the public agencies with whom Applicant has been working to address agency comments. Accordingly, we do not believe the requested continuance will constitute prejudice or undue hardship to any interested party.

Thank you for your consideration.

Very truly yours,

LINOWES AND BLOCHER LLP

Todd D. Brown

Dr. Royce Hanson, Chair
and Members of the Montgomery County
Planning Board
April 7, 2008
Page 2

cc: Mr. Robert Kronenberg
Mr. Lewie Bloom
Ms. Stella Kestell
Mr. Bill Landfair
Mr. Marius Radulescu

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